

**STATE BOARD OF COSMETOLOGY EXAMINERS MEETING
MONDAY, MARCH 15, 2010, 10:00 A.M.
INDIANA GOVERNMENT CENTER SOUTH,
402 W. WASHINGTON STREET, ROOM W064
INDIANAPOLIS, IN 46204**

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT:

David Demuth, President
Diane Weisheit, Vice President
Diana Bonn
Elizabeth Lynch
Dr. Rebecca Bushong

STATE OFFICIALS PRESENT:

Tracy Hicks, Board Director
Tina Wiseley, Assistant Director
Julie Alexander, Deputy Attorney General
Natalie Stidd, Deputy Attorney General

**MINUTES TRANSCRIBED AND
COMPILED BY:**

Tracy Hicks, Board Director

MINUTE 10-22

CALL TO ORDER AND ESTABLISHMENT OF QUORUM

The committee meeting was called to order at 10:00 a.m. by D. Demuth pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

MINUTE 10-23

ADOPTION OF THE AGENDA

D. Bonn moved to adopt the March 15, 2010 agenda. E. Lynch seconded the motion. Motion carried.

MINUTE 10-24

ADOPTION OF THE MINUTES OF THE JANUARY 11, 2010 MEETING OF THE BOARD

D. Bonn moved to approve the minutes of the January 11, 2009 meeting of the board as amended to indicate D. Weisheit called the meeting to order. D. Weisheit seconded the motion. Motion carried.

MINUTE 10-25

ADMINISTRATIVE HEARING IN THE MATTER OF BRENDA ANDERSON, BC02117855, SBCE 07-42

D. Bonn moved to deny the Motion of Proposed Default in the matter Brenda Anderson, BC02117855, SBCE 07-42. D. Weisheit seconded the motion. Motion carried.

The board conducted an administrative hearing in the matter of Brenda Anderson, BC02117855, SBCE 07-42.

D. Weisheit moved to require Brenda Anderson appear July 19, 2010 for a reinstatement hearing and that she pay the fine by July 19, 2010. The License shall remain on suspension at this time. D. Bonn seconded the motion. Motion carried. D. Weisheit moved to amend her motion to include costs of proceedings. D. Bonn seconded the motion. Motion carried.

MINUTE 10-26**ADMINISTRATIVE HEARING IN THE MATTER OF BRENDA MCCOY, BC09001587, SBCE 07-40**

The board conducted an administrative hearing in the matter of Brenda McCoy, BC09001587, SBCE 07-40.

D. Bonn moved to issue a Notice of Proposed Default in the matter of Brenda McCoy, BC09001587, SBCE 07-40. D. Weisheit seconded the motion. Motion carried.

MINUTE 10-27**ADMINISTRATIVE HEARING IN THE MATTER OF NAIL EXPO, MS30500736, SBCE 08-17**

The board conducted an administrative hearing in the matter of Nail Expo, MS30500736, SBCE 08-17.

R. Bushong moved to continue probation, monthly reports, including March, and the costs of proceedings. D. Bonn seconded the motion. Motion carried.

MINUTE 10-28**ADMINISTRATIVE HEARING IN THE MATTER OF LUXURY NAILS, MS39900819, SBCE 09-05**

The board conducted an administrative hearing in the matter of Luxury Nails, MS39900819, SBCE 09-05.

D. Weisheit moved to place the license on indefinite probation with no right to petition for reinstatement for one year, pay costs of proceedings, and pay the original fine by July 1, 2010. E. Lynch seconded the motion. Motion carried.

MINUTE 10-29**PERSONAL APPEARANCES AND CONSIDERATION OF APPLICATION FOR LICENSE RENEWAL**

Kim Paholski, BC02256031 – D. Bonn moved to approve the application for renewal without passing the examination. D. Weisheit seconded the motion. Motion carried.

Heather M. Bailey, MA29401285 – D. Bonn moved to grant renewal on probation to coincide with the criminal probation. D. Weisheit seconded the motion. Motion carried.

Mai Thi Nguyen, MA29800175 – D. Bonn moved to deny the renewal application due to no documentation presented and failure to appear. D. Bonn seconded the motion. Motion carried.

Stephanie Proffitt, BC08812078 – D. Weisheit moved to approve the application for renewal. D. Bonn seconded the motion. Motion carried.

ABC Beauty College, SC49000002 – D. Bonn moved to renew the license. E. Lynch seconded the motion. Motion carried.

Lashondra M. Fortenberry, BC29401025 – D. Bonn moved to approve the license on probation to coincide with her nursing license probation. D. Weisheit seconded the motion. Motion carried.

Rhonda Page, BC018626256 – D. Bonn moved to approve the application for renewal. E. Lynch seconded the motion. Motion carried.

MINUTE 10-30**PERSONAL APPEARANCES**

Brenda Anderson, BC02117855, SBCE 07-42 – Failed to appear.

Lovely Nails, MS30600511, SBCE 08-27 – Failed to appear.

Qui C. Lam, MA29801186, SBCE 09-03 & Today's Nails/Tan, MS30400706, SBCE 09-02 – Failed to appear.

Ly Huu Phan for Lovely Nails, MS30600511, SBCE 08-27 – Failed to appear.

Nail Expo, MS30500736, SBCE 08-17 – Appeared

MINUTE 10-31

DELIBERATIONS AND ISSUANCE OF FINAL ORDERS

D. Weisheit moved to affirm the Administrative Law Judge's Order in the matter of OP Nails, SBCE 09-35. D. Bonn seconded the motion. Motion carried.

D. Weisheit moved to affirm the Administrative Law Judge's Orders in the matter of Samantha Gibson, SBCE 09-39, Maggee Pequignot, SBCE 09-40, Michael J. Coyle, SBCE 09-41, and Maria Jaynes, SBCE 10-01. D. Bonn seconded the motion. Motion carried

MINUTE 10-32

CONSIDERATION OF COSTS AS PROVIDED BY IC 25-1-11-18

D. Weisheit moved to approve the costs in the matter of Lam Thanh Mai for Pro Nails, SBCE 07-03; \$186.40, Arnell Robinson for Mighty Sharp, SBCE 06-31; \$186.40. D. Bonn seconded the motion. Motion carried.

MINUTE 10-33

DISMISSAL ORDER ISSUED

D. Weisheit moved to issue a Dismissal Order in the matter of Jo T. Vo, SBCE 07-54A. D. Bonn seconded the motion. Motion carried.

MINUTE 10-34

TRANSFER OF LICENSE AS PROVIDED BY IC 25-8-4-4

D. Weisheit moved to grant the request to transfer cosmetology salon license in the matter of New Image Salon, BS30903345. D. Bonn seconded the motion. Motion carried.

D. Weisheit moved to grant the request to transfer cosmetology salon license in the matter of The Nail Studio, MS30600541. R. Bushong seconded the motion. D. Bonn opposed the motion. Motion carried.

MINUTE 10-35

CONSIDERATION OF REQUESTS FOR WAIVER OF 820 IAC 2-2-3(b), FIRST ATTEMPT EXAMINATION WITHIN ONE YEAR OF GRADUATION

D. Weisheit moved to approve the request for waiver of 820 IAC 2-2-3(b), allowing her to apply for licensure based on her October 14, 2009 successful examination attempt in the matter of Pamela Hollars. D. Bonn seconded the motion. Motion carried.

D. Bonn moved to approve the requests for waiver of 820 IAC 2-2-3(b), in the matter of Sherry Kelly and allow her one year to sit for the examination. E. Lynch seconded the motion. Motion carried.

MINUTE 10-36

CONSIDERATION OF REQUESTS FOR WAIVER OF 820 IAC 2-2-3(b), FIRST ATTEMPT EXAMINATION WITHIN ONE YEAR OF GRADUATION AND COMPLETION OF THE EXAMINATION WITHIN THREE YEARS OF GRADUATION

D. Weisheit moved to approve the requests for waiver of 820 IAC 2-2-3(b) and allow her six months to pass the examination in the matter of Tina Pittman. R. Bushong seconded the motion. Motion carried.

D. Bonn moved to approve the requests for waiver of 820 IAC 2-2-3(b) and allow her six months to pass the examination in the matter of Senait Yahdego. R. Bushong seconded the motion. D. Demuth opposed the motion. Motion carried.

MINUTE 10-37

CONSIDERATION OF REQUESTS FOR WAIVER OF 820 IAC 2-2-3(b), COMPLETION OF THE EXAMINATION WITHIN THREE YEARS OF GRADUATION

D. Weisheit moved to deny the request for waiver of 820 IAC 2-2-3(b) in the matter of Ida McGraw. E. Lynch seconded the motion. Motion carried.

D. Weisheit moved to approve the request for waiver of 820 IAC 2-2-3(b) and allow her to apply for the license based on the November 10, 2009 successful examination attempt in the matter of Dung Thi Tran. D. Bonn seconded the motion. Motion carried.

D. Weisheit moved to approve the request for waiver of 820 IAC 2-2-3(b) and allow her three months to pass the examination in the matter of Hieu T. Le. D. Bonn seconded the motion. Motion carried.

MINUTE 10-38

CONSIDERATION OF REQUEST FOR WAIVER OF 820 IAC 4-1-5(d), COMPLETION OF EDUCATION WITHIN THREE YEARS OF ENROLLMENT

D. Weisheit moved to approve the requests for waiver of 820 IAC 4-1-5(d) in the matter of Ashley Bish and allow her until December 31, 2010 to graduate. D. Bonn seconded the motion. Motion carried.

D. Weisheit moved to approve the requests for waiver of 820 IAC 4-1-5(d) in the matter of Penny Breedlove and allow her until December 31, 2010 to graduate. E. Lynch seconded the motion. Motion carried.

D. Weisheit moved to approve the requests for waiver of 820 IAC 4-1-5(d) in the matter of Brittney Cleggand allow her until December 31, 2010 to graduate. E. Lynch seconded the motion. Motion carried.

D. Weisheit moved to approve the requests for waiver of 820 IAC 4-1-5(d) in the matter of Ashley Neel. E. Lynch seconded the motion. Motion carried.

D. Weisheit moved to approve the requests for waiver of 820 IAC 4-1-5(d) in the matter of Michelle Lyles and allow her until December 31, 2010 to graduate. E. Lynch seconded the motion. Motion carried.

D. Weisheit moved to deny the requests for waiver of 820 IAC 4-1-5(d) in the matter of Shanna Wright. D. Bonn seconded the motion. Motion carried.

MINUTE 10-39

CONSIDERATION OF REQUEST FOR WAIVER OF IC 25-8-7-3; IC25-8-12.6-3, IC25-8-7.2-3

D. Weisheit moved to deny the request for waiver of the six month licensure requirement to manage a salon in the matter of Christine Cote, MA20910569. D. Bonn seconded the motion. Motion carried.

D. Weisheit moved to deny the request for waiver of the six month licensure requirement to manage a salon in the matter of Emma Lancaster, ES21010907. E. Lynch seconded the motion. Motion carried.

D. Weisheit moved to deny the request for waiver of the six month licensure requirement to manage a salon in the matter of Haley McElfresh, BC20910212. D. Bonn seconded the motion. Motion carried.

MINUTE 10-40

GRANTING OR DENYING PETITIONS FOR REVIEW AND APPOINTMENT OF ADMINISTRATIVE LAW JUDGE

D. Weisheit moved to grant the petitions for review and appoint D. Demuth as the Administrative Law Judge in the matter of Mandy Jester, and Brian Keith Collier. E. Lynch seconded the motion. Motion carried.

D. Weisheit moved to deny the petition for review due to untimely filing in the matter of Kristina Ronco. E. Lynch seconded the motion. Motion carried.

MINUTE 10-41

DEPUTY ATTORNEY GENERAL'S REPORT

No report.

MINUTE 10-42

APPLICATION COMMITTEE REPORT

D. Bonn moved to accept the following application committee report as follows. D. Weisheit seconded the motion. Motion carried.

COSMETOLOGY RECIPROCITY APPLICATIONS

Brooks, Latoya Shenell – APPROVED

Muir, Sanobar – APPROVED

COSMETOLOGY EXAMINATION APPLICATIONS

Baltimore, Tamara Kay – APPROVED

Bobst, Lauren Marie – APPROVED

Brown, Kayleigh Alyse – APPROVED

Canter, Kristi Sian – APPROVED

Caster, Samantha Marie – APPROVED

Elgien, Richardson – APPROVED ON PROBATION

Esponiza-Jones, Denise – APPROVED ON PROBATION

Figueiredo, Jessica Nicole – APPROVED ON PROBATION UNTIL 3-15-2010

Hayes, Wil – APPROVED ON PROBATION

Henderson, Brooke A. – APPROVED

Kelly, Sherry – APPROVED ON PROBATION

Lomax, Rachel Mae – APPROVED

Moore, Kimberly – APPROVED

Rodriguez, Elaine – APPROVED ON PROBATION

Sorter, Christopher – APPROVED

Zeigler, Jessica – APPROVED

COSMETOLOGIST PROVISIONAL APPLICATIONS

Hunter, Nadine – DENIED – NOT ENOUGH EDUCATION HOURS – IC 25-8-4-2(a)(2) & 820 IAC 4-4-4

Lee, Sylvia Yeun – DENIED – UNLICENSED PRACTICE & INCOMPLETE APPLICATION – IC 25-1-11-19(b)(2)

Roth, Norma – DENIED – UNLICENSED PRACTICE – IC 25-1-11-19(b)(2)

Salas, Ivonne – APPROVED

Tran, Tuan – APPROVED

Veras, Ramona E. – TABLED FOR ORIGINAL FAX AND PROOF OF COMPLETING 10TH GRADE

COSMETOLOGIST RESTORATION APPLICATION

Ethel White – APPROVED WITHOUT EXAMINATION

MANICURIST RECIPROCITY APPLICATIONS

Nguyen, Phuong Thi – DENIED – NOT ENOUGH WORK EXPERIENCE – IC 25-8-4-2(a)(2)

MANICURIST EXAMINATION APPLICATION

Clayburn, Michelle – APPROVED ON PROBATION

Hunley, April Rae – APPROVED ON PROBATION

Mai, Anthony Le – APPROVED

Reagin, Deborah – APPROVED ON PROBATION

Tibbs, Lisa – APPROVED ON PROBATION

Vanness, Katrina – APPROVED ON PROBATION

MANICURIST PROVISIONAL APPLICATION

Lambaren, Hecuva C. – APPROVED

INSTRUCTOR RECIPROCITY APPLICATION

White, Ethel – APPROVED

INSTRUCTOR EXAMINATION APPLICATION

Decker, Whitney K. – APPROVED

ESTHETICIAN EXAMINATION APPLICATIONS

McCombs, Amanda – APPROVED

Sharp, Molly – APPROVED

ELECTROLOGIST RECIPROCITY APPLICATION

Dunworth, Valarie D. – DENIED – INCOMPLETE APPLICATION IC 25-8-4-2(a)(2), IC 25-8-10-2, IC 25-8-10-3(1), & IC 25-8-10-3(3)

COSMETOLOGIST SALON APPLICATIONS

Farrell Hair and Medical Midwest – DENIED – FALSE/MISLEADING ADVERTISING IN NAME – IC 25-1-11-5(a)(1)(B) & IC 25-1-11-19(a)(1)(B)

Majestic Spa Plus – APPROVED

MANICURIST SALON APPLICATIONS

Nails By D and G – DENIED – UNLICENSED PRACTICE (WAXING) – IC 25-1-11-19(a)(1)(B)

ESTHETIC SALON APPLICATIONS

Elite Nail Spa – APPROVED

MINUTE 10-43

RULES COMMITTEE REPORT

D. Weisheit will have a proposed draft for mobile salon rules ready by the next meeting.

MINUTE 10-44

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 3:37 p.m.

DATED: 5/17/10

David Demuth
DAVID DEMUTH, PRESIDENT

Tracy Hicks
ATTEST BY:

TRACY HICKS, BOARD DIRECTOR